



Central Valley Regional Water Quality Control Board

1 June 2023

Sergey Kisel
2340 Newcastle Rd
Newcastle, CA 95658
ask386@gmail.com

NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2020-0048, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE WESTERN PLACER COUNTY HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, P941 2340 NEWCASTLE ROAD PARCEL 1 PROJECT (WDID#5A31CR00534-019), PLACER COUNTY

On 3 April 2023, Sergey Kisel (Permittee) submitted a Notice of Intent (NOI) to enroll under and comply with Central Valley Regional Water Quality Control Board (Central Valley Water Board) General Order R5-2020-0048, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the Western Placer County Habitat Conservation Plan Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the P941 2340 Newcastle Road Parcel 1 Project (Project) meets the eligibility requirements of, and is hereby enrolled under, General Order R5-2020-0048. You may proceed with your Project in accordance with the Order.

A copy of General Order R5-2020-0048 can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf).

Please familiarize yourself with the requirements of General Order R5-2020-0048. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order R5-2020-0048 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 2.3-acre Project consists of installing a 12-inch concrete pipe culvert in a roadside ditch to create a road crossing for a new single-family home. The Project will permanently impact 0.002 acre/30 linear feet of stream channel habitat. There will be no temporary impacts associated with the project.

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

PROJECT TYPE:

Roads and Highways

ADDITIONAL CONDITION:

The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

PROJECT LOCATION:

The Project is located at 2340 Newcastle Road in Placer County.

Section 31, Township 12 North, Range 8 East, MDB&M

Latitude: 38.850247° and Longitude: -121.122816°

PROJECT SCHEDULE:

May 2023 to November 2023.

PUBLIC NOTICE

The Central Valley Water Board provided public notice of the application from 7 April 2023 to 28 April 2023. The Central Valley Water Board did not receive any comments during the comment period.

COMPENSATORY MITIGATION

Compensatory mitigation is not required for the permanent impact of 0.002 acre of stream channel habitat because the impact is considered negligible and will not negatively impact water quality or resources.

APPLICATION FEE RECEIVED:

An application fee of \$ 2,734.00 was received on 4 May 2023. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and was calculated as E – Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

The proposed Project will comply with all applicable measures identified within Master Conditions on Covered Activities Checklist, submitted as Attachment 4 of the application. The Applicant will implement the Avoidance and Minimization Measures (AMMs) and construction Best Management Practices (BMPs) outlined in the County Aquatic Resource Program (CARP) document, the Habitat Conservation Program/Natural Community Conservation Program (HCP/NCCP) document, and General Order No. R5-2020-0048.

WATER QUALITY MONITORING:

The culvert will be installed when the stream channel is naturally dry, therefore water quality monitoring is not required.

PETITIONS FOR RECONSIDERATION

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Links to the law and regulations applicable to filing petitions may be found on the Water Quality Petitions Page (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request."

If you have any questions regarding this Notice of Applicability, please contact Nicholas Savino by phone at (916) 464-4920 or by email at Nicholas.Savino@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Attachments: Figure 1 – Project Location Map
 Figure 2 – Project Impact Map

cc: [Via email only]

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Figure 1: Project Location Map

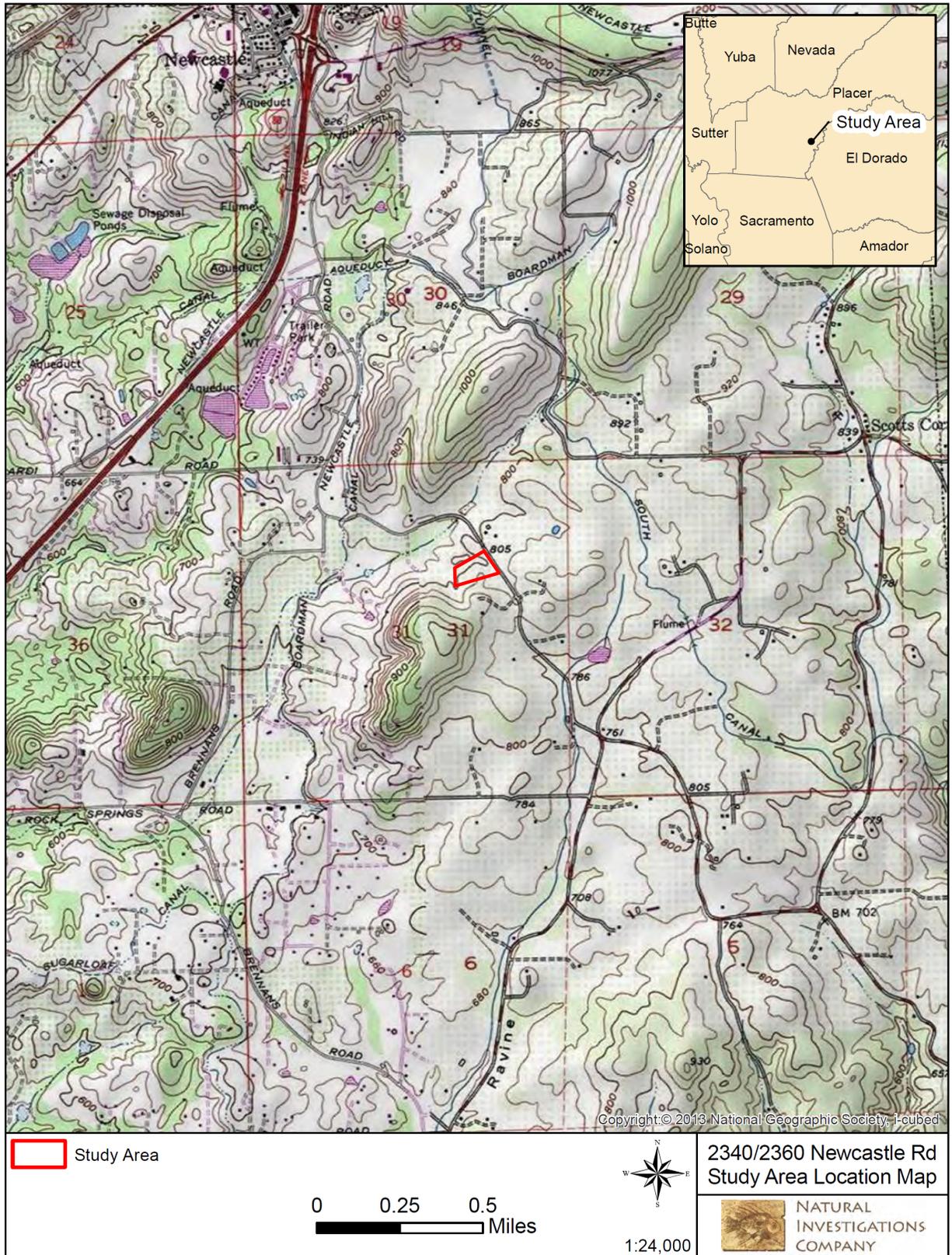


Figure 2: Project Impact Map

